

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ENVIRONMENTAL REGULATION  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

AFFIDAVIT OF TITLE

I/We, M.M. Skaggs, Jr., President, / Chemical Land Holdings, Inc. of full age, being duly sworn upon his/her/their oath, depose and say:

Chemical Land Holdings, Inc. is  
1. ~~XXXXXX~~ now the record fee simple owner(s) of the real property commonly known as 80 and 120 Lister Ave., and also known as Lot(s) 57, 58 and 59, Block 2438 on the current tax map of Newark in the County of Essex, New Jersey.

Chemical Land Holdings, Inc. has  
2. I/We further say that we ~~have~~ been the said record owner(s) of the above defined real property by virtue of deed dated August 28, 1986 and recorded in Deed Book 4934, at page 482 etc.\* in the Clerk's office of Essex County; and that as of the date indicated below, ~~XXXXXX~~ Chemical Land Holdings, Inc. has its not sold, assigned or in any way disposed of ~~XXXXXX~~

above state real property interest. Attached is a true and correct copy of a name change certificate changing the name of Diamond Shamrock Chemical\*\*

3. I/We further state that the matters and facts aforesaid are within my/our personal knowledge and are true and accurate to the best of my/our ability to substantiate same as of the date indicated below, and that the Bureau of Tidelands Management, Department of Environmental Protection, is entitled to rely on the truth of all foregoing statements and facts herin contained.

In witness whereof, I/we have set our hand and seal this 6<sup>th</sup> day of January, 1999.

BY:

BY:

M.M. Skaggs, Jr.  
Applicant's Signature

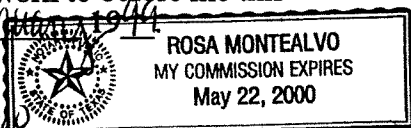
TITLE:

President

Subscribed and sworn to before me this

6 day of January, 1999.

Rosa Montevalvo  
(Notary Public)



Applicant's Signature

717 North Harwood Street  
Dallas, Tx 75201

Address

\*and by virtue of deed dated August 28, 1986 and recorded in Deed Book 4934 at page 478 etc.

\*\*Land Holdings Inc. (as stated on the deeds) to Chemical Land Holdings, Inc.

# DEED

Prepared by: (Print name below signature)

JOELIE HALPERIN ROSEN

This Deed is made on

August 28, 1986

BETWEEN DIAMOND SHAMROCK CHEMICALS COMPANY

a corporation of the state of Delaware  
having its principal office at 351 Phelps Court, Irving, Texas 75038

AND DIAMOND SHAMROCK CHEMICAL LAND HOLDINGS, INC.  
a Delaware corporation,

whose post office address is 717 North Harwood Street, Dallas, Texas

The word "Grantee" shall mean all Grantees listed above.

Transfer of Ownership. The Grantor grants-and-conveys-(transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of TEN and 00/100 (\$10.00)--

DOLLARS

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Newark  
Block No. 2438 Lot No. 58 and 59 Account No.

☐ No property tax identification number is available on the date of this Deed. (Check box if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the City of Newark  
County of Essex and State of New Jersey. The legal description is:

BEGINNING at a point in the center line of Dock Street (now vacated) where the same is intersected by the division line between the lands hereby conveyed and lands now or formerly of the Sherwin Williams Company which point is north eighty-four degrees forty-five minutes west two hundred sixty-four feet and eighty-eight hundredths of a foot (264.88'); distant from the intersection of the center line of former Dock Street and the center line of former Poplar Street (both streets now vacated); and running thence:

1. Along said land of Sherwin Williams north five degrees fifteen minutes east forty-one feet and ninety-three hundredths of a foot; thence

2. Still along same north seventy degrees forty-nine minutes east twenty-seven feet and sixty-nine hundredths of a foot (27.69'); thence

3. Still along same north eighteen (18) degrees forty-nine minutes west thirty-one feet and twenty-five hundredths of a foot; thence

4. Still along the same north five degrees fifteen minutes east one hundred ninety-five feet and thirty-eight hundredths of a foot (195.38'); thence

5. Still along the same north eighty-four (84) degrees forty-five minutes west eleven feet and twenty-five hundredths of a foot (11.25'); thence

6. Still along the same north five degrees fifteen minutes east one hundred thirty-nine feet and forty-two hundredths of a foot (139.42') to the southerly dock line of the Passaic River; thence

7. Along the same north eighty-seven degrees twenty-one minutes east eighty-one feet and sixty-nine hundredths of a foot (81.69') to a point; thence

DB 4934-478 M 9-3-86

COUNTY OF ESSEX

CONSIDERATION

RENTY TRANSFER FEE

DATE

8. North 5 degrees 15 minutes east 1.93 feet to the pierhead and bulkhead line approved by the Assistant Secretary of War May 22, 1916 and adopted February 18, 1924 by the former Board of Commerce and Navigation; thence

9. Along the same north 87 degrees 16 minutes 40 seconds east 150.21 feet; thence

10. Still along the same north 88 degrees 21 minutes 40 seconds east 138.28 feet to a point in the line of land now or formerly of Highway Corporation; thence

11. Along the same south 5 degrees 15 minutes west 377.03 feet to the northerly line of land now or formerly of the Retseil Corporation; thence

12. Along the same north 84 degrees 45 minutes west 77.32 feet to an angle in the same; thence

13. Still along the same south 5 degrees 10 minutes west 93 feet to a corner where said line intersects the center line extended of former Dock Street (now vacated); thence

14. Along the same and bordering lands now or formerly of Retseil Corporation and in continuation thereof north 84 degrees 45 minutes west 289.88 feet to the point and place of BEGINNING.

Said description being in accordance with a survey made by Borrie, McDonald & Watson, dated January 5, 1980, revised February 7, 1980. Being known and designated as Lots Nos. 58 and 59 in Block 2438 on the Tax Map of the City of Newark.

Together with the following right-of-way:

BEGINNING at a point in the northerly line of Lister Avenue therein distant westerly 588.54 feet from the range of the easterly line of Lockwood Street; thence

1. North 5 degrees 10 minutes east and in range with the first part of the thirteenth course of the description of the aforesaid tract 259.0 feet; thence

2. Along the southerly line of said tract north 84 degrees 45 minutes west 25 feet; thence

3. South 5 degrees 10 minutes west 259.0 feet to the said northerly line of Lister Avenue; thence

4. Along the same south 84 degrees 45 minutes east 25.0 feet to the point and place of BEGINNING.

Said description being in accordance with said survey.

Said right-of-way is referred to in deed from the American Agricultural Chemical Company to Retseil Corporation in Deed Book G. 85 page 154.

# DEED

This Deed is made on

Aug. 1 28. 1986.

Prepared by: (print signifier's name below signature)

JOELLE HALPERIN ROSEN

**BETWEEN** DIAMOND SHAMROCK CHEMICALS COMPANY

a corporation of the state of Delaware  
having its principal office at 351 Phelps Court, Irving, Texas

referred to as the Grantor.

AND DIAMOND SHAMROCK CHEMICAL LAND HOLDINGS, INC.,  
a Delaware corporation,

whose post office address is 717 North Harwood Street, Dallas, Texas

referred to as the *Grantee*.

The word "Grantee" shall mean all Grantees listed above

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of **TEN and 00/100 (\$10.00)--**

**The Grantor acknowledges receipt of this money.**

Tax Map Reference. (N.J.S.A. 46:15-21) Municipality of Newark  
Block No. 2438 Lot No. 57 Account No.

☐ No property tax identification number is available on the date of this Deed. (Check box if applicable.)

**Property.** The property consists of the land and all the buildings and structures on the land in the City of Newark, County of Essex, State of New Jersey. The legal description is:

BEGINNING at the Northeasterly corner of land heretofore conveyed by The American Agricultural Chemical Company to Peerless Oil Co. of Delaware by Deed dated March 26, 1930, recorded in the Office of the Register of Deeds for Essex County, New Jersey, in Book C-81 of Deeds, Page 89-93; and thence running:

(1) Along the Northerly line of said lands of Peerless Oil Co. of Delaware and also the Northerly line of lands heretofore conveyed by The American Agricultural Chemical Company to Retseil Corporation by Deed dated October 24, 1932, and recorded in the Register's Office aforesaid in Book G-85 of Deeds, Pages 154-158, North 84 degrees 45 minutes West, 275.36 feet to a point in the Northerly line of said lands of Retseil Corporation, and the Easterly line of lands described in Deed by The Highway Corporation to The American Agricultural Chemical Company, dated December 28, 1936, and recorded in the Register's Office aforesaid in Book N-91 of Deeds, Pages 373, etc.; thence

(2) Along line of said lands described in said Deed recorded in Book N-91, Page 373, etc., and other lands now or formerly of The American Agricultural Chemical Company, North 5 degrees 15 minutes East 375.55 feet to the Northerly side of the bulkhead (in the Passaic River) on the premises herein described; thence

(3) Along said Northerly side of said bulkhead North 88 degrees 12 minutes East, 203.31 feet to a point therein; thence

(4) Still along same North 89 degrees 51 minutes East. 35.87 feet to the Northwestern corner of Parcel Two of lands heretofore conveyed by The American Agricultural Chemical Company to Swan-Finch Oil Corporation by Deed dated April 21, 1930, and recorded in the Office of the Register at St. Paul in Book W-80 of Deeds, Pages 432-436; thence

(5) South 1 degree 26 minutes East, along the line of lands of Swan-Finch Oil Corporation 15.22 feet to a point; thence

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DB 4934-482

4830 (6) Still along said lands of Swan-Finch Oil Corporation, South 7 degrees 48 minutes West, 210 feet to a corner in said lands; thence)

(7) Still along said lands of Swan-Finch Oil Corporation, South 84 degrees, 45 minutes East, 36.87 feet to a point; thence

(8) Still along said lands of Swan-Finch Oil Corporation, South 21 degrees 48 minutes West, 31.30 feet to the point of BEGINNING.

TOGETHER with and subject to a right of way 25 feet in width, extending from Lister Avenue North partly through lands of The American Agricultural Chemical Company lying South of the above-described premises, partly through lands of the aforesaid Peerless Oil Co. of Delaware, partly through lands of the aforesaid Swan-Finch Oil Corporation, and partly through the Southeasterly corner of the land above described, for use in common by The American Agricultural Chemical Company, The Highway Corporation, Peerless Oil Co. of Delaware, Swan-Finch Oil Corporation, and their respective successors and assigns as a means of ingress from said Egress to Lister Avenue, with the right to install, operate, maintain and replace sewers, gas and water mains, telephone, electric light and power lines, and other public utilities, above or underground, to serve the premises hereby conveyed and other lands of The American Agricultural Chemical Company, its successors and assigns; The American Agricultural Chemical Company expressly reserving to itself, its successors and assigns, the right to use so much of said premises as is included in said right of way in accordance with the foregoing.

**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

**Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed.

DIAMOND SHAMROCK CHEMICALS COMPANY

Noted by

Noted by  
MARCEL DUMENY

Secretary

By: *Charles Stewart*  
CHARLES STEWART

President

TEXAS  
STATE OF XXXXXXXXXX, COUNTY OF  
I CERTIFY that on

SS:

August 28, 1986

MARCEL DUMENY

personally came before me and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the secretary of DIAMOND SHAMROCK CHEMICALS COMPANY the corporation named in this Deed;

(b) this person is the attesting witness to the signing of this Deed by the proper corporate officer who is the President of the corporation;

CHARLES STEWART  
(c) this Deed was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors.

(d) this person knows the proper seal of the corporation which was affixed to this Deed;

(e) this person signed this proof to attest to the truth of these facts; and

(f) full and actual consideration paid or to be paid for the transfer of title is \$ 10.00

(Such consideration is defined in N.J.S.A. 46:15-5.)

Signed and sworn to before me on  
August 28, 1986

*Kathleen A Kappa*  
KATHLEEN A KAPPA

Public

*Marcel Dumeny*  
MARCEL DUMENY Secretary

KATHLEEN A KAPPA

Notary Public - State of Texas

My Commission Expires 12-31-89

4934 493 ②

BOOK 639 PAGE 554

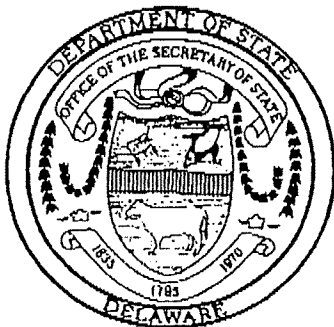
State of Delaware



39905

## Office of Secretary of State

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELAWARE,  
DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE  
CERTIFICATE OF AMENDMENT OF DIAMOND SHAMROCK CHEMICAL LAND HOLDINGS  
INC. FILED IN THIS OFFICE ON THE FOURTH DAY OF DECEMBER, A.D. 1987,  
AT 10 O'CLOCK A.M.



737339032

A handwritten signature of Michael Harkins.

Michael Harkins, Secretary of State

AUTHENTICATION: 1493592

DATE: 12/08/1987

13338632

BOOK 639 PAGE 555

FILED

DEC 4 1987

*Malcolm S. [Signature]*  
SECRETARY OF STATE

10 AM

## CERTIFICATE OF AMENDMENT

OF

## CERTIFICATE OF INCORPORATION

DIAMOND SHAMROCK CHEMICAL LAND HOLDINGS INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, DOES HEREBY CERTIFY:

FIRST: That the Board of Directors of said corporation, by unanimous written consent of its members, filed with the minutes of the board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Board of Directors hereby declares it advisable that the Corporation change its name, and in furtherance thereof that Article 1 of the Certificate of Incorporation be amended in its entirety to read as follows:

1. The name of the corporation is Chemical Land Holdings, Inc. (the "Corporation").

SECOND: That in lieu of a meeting and vote of the sole stockholder, the stockholder has given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

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IN WITNESS WHEREOF, said DIAMOND SHAMROCK CHEMICAL LAND HOLDINGS INC. has caused this certificate to be signed by D. C. Mielke, its Vice President, and attested by D. H. Van Horn, its Assistant Secretary, this 21st day of October, 1987.

DIAMOND SHAMROCK CHEMICAL LAND  
HOLDINGS INC.

By *D.C. Mielke*

D. C. Mielke, Vice President

ATTEST:

By *D.H. Van Horn*D. H. Van Horn  
Assistant Secretary

7321/SUBMTGSI

RECEIVED FOR RECORD

DEC 15 1987

William M. Money, Recorder